

From: Nicholas Riegel
To: Microsoft ATR
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Subject: Microsoft's Proposed Remedy

If you haven't heard of Red Hat's proposal for Microsoft's antitrust settlement, you need to consider it. As I understand the current proposed settlement, Microsoft would donate its software and computers to some of the nation's poorest schools. The problem with this proposal is that it spreads Microsoft's market in the guise of philanthropy. Additionally, under Microsoft's proposal, only after a few years Microsoft will be able to start charging licensing fees for the "free" software that it supplies. It costs Microsoft very little to actually produce the software that it is placing in the schools. So the only real cost is the hardware and time.

A better proposal is be one that has been offered by Red Hat that allows Microsoft to give back to some of the neediest consumers while not promoting the growth of the company. Allowing Microsoft to pay for placing computer hardware in the schools, and allowing Red Hat to place the software on those computers, is a much better remedy for all parties involved. Red Hat is an American company that produces an award-winning version of the up-and-coming Linux operating system. By allowing Red Hat to place its software and operating system on the computers that Microsoft purchases, it a guarantees that the money and effort that Microsoft puts forth will benefit only the students and not Microsoft's pocket and market share. It further allows more competition against Microsoft by introducing new computer users to software that is just as capable as Microsoft Windows. Furthermore, Linux is a growing software movement that by its very nature prevents the emergence of an abusing monopoly. The way that Linux is developed ensures that any company, or individual for that matter, can contribute and/or produce software for the operating system. It ensures that no one company will have so much power to stomp on and "squash the competition" in any monopolistic manner. Linux is about truly open standards that allow companies and individuals to fairly compete on an even playing field.

I encourage you to, at a minimum, deny Microsoft's current proposal for remedy. It would only prove that Microsoft is more powerful the United States federal government in further serve Microsoft's monopolistic practices. I realize that the United States economy is currently going through a recession. A recession is no excuse to allow a recognized monopoly to continue to abuse the law. One of the fundamental economic lessons indicates that business performance is cyclical. Microsoft is plenty powerful, and is nowhere near being "down and out". The reality is that short of closing down Microsoft altogether, almost no remedy would significantly hurt Microsoft and cause them to go out of business. I encourage you to seek other options that spur competition as opposed to giving Microsoft more of an unfair

advantage in the marketplace. Thank you for your time.